

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ROSENTHAL et al.

Serial No.: 10/728,277

Filed: December 4, 2003

Confirmation No.: 7142

Atty. File No.: 42830-10010

For: "TREATMENT OF MUCOSITIS"



Group Art Unit: 1614

Examiner: Roberts, Lezah

THIRD SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT (37 C.F.R. § 1.97(c))

<p align="center">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>11-28-06</u>.</p> <p align="center">MARSH, FISCHMANN &amp; BREVFOGLE LLP</p> <p>BY: <u>[Signature]</u> LORI LANG</p>
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, submitted herewith is the enclosed PTO Form 1449, although it is not admitted that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission that any such document is prior art as to the above-identified application. Copies of any foreign patent and non-patent documents identified on the enclosed PTO Form 1449 are submitted herewith.

This Information Disclosure Statement is being filed before receipt of a final Office Action, Notice of Allowance or other action that otherwise closes prosecution, and enclosed herewith is a check in the amount of \$180.00 for payment of the fee under 37 C.F.R. § 1.17(p).

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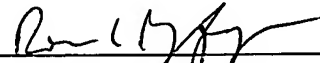
Attorney Docket No. 42830-10010

While it is believed that no other fees are due in connection herewith, please charge any additional fees that are required to Deposit Account No. 50-1419.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

Date: November 22, 2006.

By: 

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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)	<b>Docket Number (optional)</b> 42830-10010	<b>Application Number</b> 10/728,277
	<b>Applicant(s)</b> ROSENTHAL et al.	
	<b>Filing Date</b> December 4, 2003	<b>Group Art Unit</b> 1614



U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	4,724,239	02/09/1988	MORGAN	514	563	
	2.	4,918,224	04/17/1990	KRIMMER et al.	562	557	
	3.	4,968,506	11/06/1990	APPELGREN et al.	424	456	
	4.	5,510,101	04/23/1996	STROPPOLO et al.	424	78.04	
	5.	5,580,577	12/03/1996	HERZENBERG et al.	424	451	
	6.	5,807,894	09/15/1998	STROPPOLO et al.	514	562	
	7.	6,025,326	02/15/2000	STEINBERG et al.	514	2	
	8.	6,228,347	05/08/2001	HERSH	424	49	
	9.	6,346,272	02/12/2002	VIEGAS et al.	424	486	
	10.	6,509,028	01/21/2003	WILLIAMS et al.	424	434	
	11.	6,511,800	01/28/2003	SINGH	435	4	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	A.	WO 96/00060	01/24/1996	WIPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

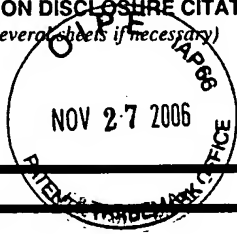
  

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application

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U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	12.	6,562,802	05/13/2003	JOHANSSON et al.	514	55	
	13.	6,620,428	09/16/2003	HOECK et al.	424	449	
	14.	6,623,754	09/23/2003	GUO et al.	424	464	
	15.	6,685,917	02/03/2004	ROSENTHAL et al.	424	49	
	16.	6,743,422	06/01/2004	NARHI et al.	424	85.1	
	17.	6,790,827	09/14/2004	GRISSOM et al.	514	6	
	18.	6,797,729	09/28/2004	BYRNE et al.	514	562	
	19.	6,841,578	01/11/2005	SONIS	514	728	
	20.	7,033,606	04/25/2006	BESSE et al.	424	435	
	21.	US 2003/0229141 A1	12/11/2003	YU et al.	514	550	
	22.	US 2004/0062764 A1	04/01/2004	NEUWELT et al.	39	395	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

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